

**EXHIBIT E**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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PHILIP L. TROPEANO, PETER TROPEANO,	)
and CAROLYN PATTON,	)
	)
Plaintiffs,	)
	)
v.	) DOCKET NO.
	) 03-CV-12231-RGS
CHARLENE DORMAN, BIANCA DORMAN,	)
LYDIA DORMAN, TODD DORMAN, T&N	)
REALTY TRUST and CAPTAIN PARKER	)
ARMS PARTNERSHIP,	)
	)
Defendants.	)
	)

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**PHILIP TROPEANO'S ANSWERS  
TO DEFENDANTS' SECOND SET OF INTERROGATORIES**

Pursuant to Fed. R. Civ. P. 33, Plaintiff Philip Tropeano ("Mr. Tropeano") responds to Defendants' Second Set of Interrogatories to Plaintiffs as follows:

**GENERAL OBJECTIONS**

A. Mr. Tropeano objects to these Interrogatories to the extent that they request information or documents prepared or procured in anticipation of litigation, or protected by the work product doctrine or any privilege, including, but not limited to, the attorney-client privilege.

B. Mr. Tropeano objects to these Interrogatories to the extent that they purport to impose obligations or burdens upon Mr. Tropeano beyond those imposed by the Federal Rules of Civil Procedure.

C. Mr. Tropeano objects to these Interrogatories to the extent that they seek information subject to confidentiality or nondisclosure protection or obligations under any legal,

constitutional, contractual, or other basis. Mr. Tropeano reserves all rights to withhold such information but will consider producing all or some of the information, to the extent he may legally and properly do so, subject to an appropriate protective order limiting the use and the disclosure of the information. By producing information absent a confidential designation, Mr. Tropeano does not intend to, nor does Mr. Tropeano, waive any claims of confidentiality all of which are expressly reserved.

Incorporating, and specifically without waiving, these general objections, Mr. Tropeano responds to the numbered Interrogatories as follows:

#### INTERROGATORIES

##### Interrogatory No. 3

Please state your name and address, and the name and address of each person who assisted you in preparing your responses to these Interrogatories.

##### Response No. 3

My name is Philip L. Tropeano, 237 Dodge Street, Beverly, MA. I prepared my responses to these Interrogatories with the assistance of my counsel.

##### Interrogatory No. 4

Please state the dollar amount you contend is equal to the fair market value of the Subject Property as of October 1, 2003, and state the basis for this contention.

##### Response No. 4

Mr. Tropeano objects to Interrogatory No. 4 on the grounds that it is premature as discovery has not yet been completed. Subject to and without waiving his specific and general objections, Mr. Tropeano states that the fair market value of the Subject Property as of October 1, 2003 was some amount between \$16.3 million, as described in the expert report of Webster A. Collins and CB Richard Ellis, Inc., and \$18.0 million, as described in the expert report of Eric

Reensteirna and Reenstierna Associates, and refers the defendants to these expert reports, which were produced as part of expert discovery pursuant to Fed. R. Civ. P. 26(a)(2)(B).

Interrogatory No. 5

Please state the dollar amount you contend is equal to the value of your interest in the Partnership as of October 1, 2003, and state the basis for this contention, including, but not limited to, a complete description of the data you used and the methodology by which you calculated the value of your interest in the Partnership as of October 1, 2003.

Response No. 5

Mr. Tropeano objects to Interrogatory No. 5 on the grounds that it is premature as discovery has not yet been completed. Mr. Tropeano further objects to Interrogatory No. 5 on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving his specific and general objections, Mr. Tropeano contends that the value of his interest in the Partnership as of October 1, 2003 was 21.43% of the liquidated value of all assets of the Partnership on that date.

As for the exact dollar amount of Mr. Tropeano's interest, Mr. Tropeano expects the Court to make that determination based upon: (1) the expert reports (including rebuttal reports) of (a) Eric Reensteirna and Reenstierna Associates, (b) Webster A. Collins and CB Richard Ellis, Inc., (c) Kevin Hastings and R.W. Sullivan Inc., (d) Norton S. Remmer, and (e) Walter H. Pennell and Hunneman Appraisal & Consulting Co.; (2) the various documents and other information that have been, and continue to be, produced pursuant to discovery in this matter regarding, among other matters, all non-real estate assets of the Partnership as of October 1, 2003, all of which documents and information are equally available to the defendants, and (3) any additional information developed by Plaintiffs between now and the trial of this matter.

*Mr. Tropeano reserves the right to supplement his answers to these Interrogatories as appropriate.*

Signed under the pains and penalties of perjury this 27<sup>th</sup> day of November, 2007.

By: \_\_\_\_\_  
Philip Tropeano

As to objections:

By: Thomas Ciampa  
Thomas M. Ciampa (BBO# 566898)  
Ciampa & Associates  
20 Park Plaza, Suite 804  
Boston, MA 02116  
Phone: (617) 742-5955  
Fax: (617) 423-4855

Dated: November 27, 2007

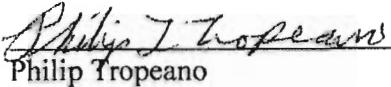
CERTIFICATE OF SERVICE

I hereby certify that on this 27<sup>th</sup> day of November, 2007, a true and accurate copy of the foregoing was served by hand upon counsel of record for the defendants.

Thomas Ciampa  
Thomas M. Ciampa

***Mr. Tropeano reserves the right to supplement his answers to these Interrogatories as appropriate.***

Signed under the pains and penalties of perjury this 27<sup>th</sup> day of November, 2007.

By:   
Philip Tropeano

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\_\_\_\_\_  
Thomas M. Ciampa